

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

TIMEBASE PTY LTD.,

Civil No. 07-1687 (JNE/JJG)

Plaintiff,

vs.

THE THOMSON CORPORATION,
WEST PUBLISHING CORPORATION,
and WEST SERVICES, INC.,

**DECLARATION OF MARY V.
SOOTER**

Defendants.

Declaration of Mary V. Sooter:

1. I, Mary V. Sooter, am an attorney with the law firm of Faegre & Benson LLP, am licensed to practice in the State of Colorado, am admitted *pro hac vice* to represent defendants in this case before this Court.
2. This declaration is submitted in support of Defendants' Memorandum in Support of Their Motion for Summary Judgment.
3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the Transcript of the Deposition of Ophir Frieder, which took place on June 10, 2011. This exhibit is filed under seal.
4. Attached hereto as Exhibit 2 is a true and correct copy of Plaintiff's Supplemental Infringement Claim Charts dated January 8, 2010. This exhibit is filed under seal.
5. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Report of Ophir Frieder dated February 28, 2011. This exhibit is filed under seal.

6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the Deposition Transcript of Darla Agard dated October 21, 2010. This exhibit is filed under seal.
7. Attached hereto as Exhibit 5 is a true and correct copy of document THOM00135959–69 produced by defendants during the course of discovery and cited by Dr. Frieder in his expert report. This exhibit is filed under seal.
8. Attached hereto as Exhibit 6 is a true and correct copy of document THOM00223257–317 produced by defendants during the course of discovery and cited by Dr. Frieder in his expert report. This exhibit is filed under seal.
9. Attached hereto as Exhibit 7 is a true and correct copy of the document marked as Exhibit 4 during the June 10, 2011 deposition of Dr. Ophir Frieder. This exhibit is filed under seal.
10. Attached hereto as Exhibit 8 are true and correct screen shots from Westlaw of 100 statutes from various jurisdictions. These screen shots were captured from the accused Westlaw system on June 29, 2011. They are all prior versions of statutes (portions of text-based data in Westlaw), which have been superceded by later versions of statutes (modified portions of text-based data in Westlaw). They were obtained from the following Westlaw databases CA-ST-ANN (California Statutes Annotated); NY-ST-ANN (New York Statutes Annotated); PA-ST-ANN (Pennsylvania Statutes Annotated); TX-ST-ANN (Texas Statutes Annotated).

11. Attached hereto as Exhibit 9 is a true and correct copy of TimeBase's Supplemental Response of October 29, 2010 to Defendants' Interrogatories 9 and 10. This exhibit is filed under seal.
12. Attached hereto as Exhibit 10 is a true and correct copy of U.S. Patent No. 6,233,592 B1.
13. Attached hereto as Exhibit 11 is a true and correct copy of U.S. Patent No. 7,293,228 B1.
14. Attached hereto as Exhibit 12 is a true and correct copy of the Ex Parte Reexamination Certificate for U.S. Patent No. 7,293,228 C1.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 30, 2011

/s/ Mary V. Sooter
Mary V. Sooter